

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
Transcriber's Office

January 28, 1999 LB 19

Madam President.

SENATOR CROSBY: Senator Landis, to open.

SENATOR LANDIS: Thank you, members of the Legislature. LB 19 is a follow-up to a bill that created a mechanism to pay for legal services for indigent civil plaintiffs and defendants. We added a fee to a series of court actions. That fee goes into a fund. It's distributed by our Public Advocacy Commission to providers of indigent...legal services for indigents. The fee applied across a variety of kinds of cases, among them child support modifications. Well, there are a number of those kinds of cases that are handled by county attorneys and, since they are the filers of these actions, they have to pay this fee. The fee is coming from, when the county pays for it, it's coming from one of two sources. It's either coming...well, part of it's coming from the county general fund and then gets circuited into this Indigent Legal Services Fund, and counties would rather not have their monies do that. They'd rather have them be spent for county services. And the second source is to have money come out of the Title IV-D Federal Social Security Act, which is child support enforcement generally. So, since the money gets to eventually to a public purpose, this says that we won't take these fees when the county attorney or an authorized attorney acting on behalf of the state or the county files one of these cases. It would be a way of moving public money from one public purpose to another public purpose and we'd rather just keep it in the county general fund for those services or in the county...or rather, in the Nebraska Child Support Enforcement Association, filing cases and doing that work there rather than shepherding the money into this process. It came out of the committee seven/zip, and I commend the Judiciary Committee for advancing the bill. I'd ask for its advancement. I'll tell you what it does essentially. It allows us to keep doing the business of providing funds for the legal services for the indigents, but not taking them from other public sources, such as county general funds or the other parts of the child support enforcement mechanism. Thank you.

SENATOR CROSBY: Thank you, Senator Landis. Any discussion on LB 19? Seeing none, Senator Landis waives closing. The question is the advancement of LB 19 to E & R. All in favor